

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

IN RE)	
)	Chapter 11
CHOXI.COM, Inc.,)	
)	Case No. 16-13131-SCC
Debtor.)	
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TRACY L. KLESTADT, in his capacity)	
as Plan Administrator of the estate of)	
Choxi.com, Inc.,)	Adv. No. 18-01794 (SCC)
)	
Plaintiff,)	
)	
-against-)	
)	
DEEPAK AGARWAL, <i>et al.</i> ,)	
)	
Defendants.)	
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STIPULATION TO DISMISS WITH PREJUDICE

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) (made applicable hereto by Federal Rule of Bankruptcy Procedure 7041), plaintiff Tracy L. Klestadt, in his capacity as Plan Administrator of the estate of Choxi.com, Inc., and defendants Deepak Agarwal, Melina Ash a/k/a Melina Agarwal, Sheela Agarwal, Vipesh Agarwal, Vishal Agarwal, Daniel Depina, DIYA Irrevocable Trust, and Depina Consulting, LLC (collectively, the “Defendants”) hereby stipulate to the dismissal of this adversary proceeding with prejudice in its entirety as against the Defendants and with respect to the claims asserted herein, with each party to bear its own fees and costs.

SO STIPULATED:

Tracy L. Klestadt, in his capacity as Plan
Administrator of the estate of Choxi.com, Inc.

Deepak Agarwal, Melina Ash a/k/a Melina
Agarwal, Sheela Agarwal, Vipesh Agarwal,
Vishal Agarwal, Daniel Depina, DIYA
Irrevocable Trust, and Depina Consulting,
LLC

/s/ Elizabeth C. Viele

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Counsel for the Plaintiff

Dated: July 18, 2019

/s/ Safraz W. Ishmael

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